WP(C) 5709/2007

BEFORE

HON'BLR MR. JUSTICE B.K. SHARMA.

Heard Mr. B.D. Goswami, learned counsel for the petitioner as well as Mr. N. Dutta, learned Sr. counsel assisted by Mr. R.K. Borah, learned State counsel representing the State respondents.

Mr. Goswami, learned counsel for the petitioner, on perusal of the letter dated 21.11.2007 addressed to Mr. Dutta, learned Sr. counsel by the Government of Assam in the Guwahati Development Department under the signature of Dr. A. K. Bhutani, Secretary to the Government of Assam, submits that the grievance raised in the writ petition stands redressed.

For a ready reference, the aforesaid letter dated 21..11.2007 is quoted below :-

No.GDD.197/07/39 November 21, 2007

From Dr. A.K. Bhutani, IAS,
Secretary to the
Government of Assam.

To Shri Niloy Dutta,
Senior Advocate,
Gauhati High Court, Guwahati-1.

Subject :- Govt. stand in the Hon'ble High Court in WP(C) 159/2007.

Ref :- Our letter No.GDD/197/07/38 Dtd. 20.11.2007.

Sir,

In inviting a reference to the subject cited above, I am to say that the original agreement arrived at in the discussion of the Hon'ble Minister GDD with chairman and the Managing Director of Assam Textbook Corporation with regard to sharing of net monthly revenue on a 50 : 50 basis between GMDA and Text Book Corporation stands.

The Text Book Corporation was supposed to issue a formal letter accepting the conditions listed out in our letter dated 5th October within 2 to 3 days. On account of no response from the Text Book Corporation, in spite of repeated telephonic reminders, the Government was forced to resort to requisitioning of the land in view of extreme public urgency, as an interim arrangement in order to expedite the construction of Multi Storied Car parking. The original offer, as laid down in our letter dated 5th October, stands.

The balance land of 3 kathas 15 lessas left out by the Deputy Commissioner in the requisition order is a part of the deal.

Yours faithfully,
Sd/- (Dr.A.K. Bhutani)
Secretary to the Government of
Assam

In view of the above, the writ petition is disposed of. The aforesaid letter dated 21.11.2007 shall form a part of the record.